

practicable, the withdrawal of nuclear material from any centrifuge enrichment facility;

Whereas, on February 24, 2004, the Government of Iran informed the IAEA of its decision to expand the scope and clarify the nature of its decision to suspend to the furthest extent possible the assembly and testing of centrifuges and the domestic manufacture of centrifuge components, including those related to existing contracts, informed the IAEA that any components that are manufactured under existing contracts that cannot be suspended will be stored and placed under IAEA seal, invited the IAEA to verify these measures, and confirmed that the suspension of enrichment activities applied to all facilities in Iran;

Whereas, in November 2004, the Governments of the United Kingdom, France, and Germany entered into an agreement with Iran on Iran's nuclear program (commonly referred to as the "Paris Agreement"), securing a formal commitment from the Government of Iran to voluntarily suspend uranium enrichment operations in exchange for discussions on economic, technological, political, and security issues;

Whereas the Department of State has reported for a decade on Iran's state sponsorship of terrorism and has declared in its most recent Country Reports on Terrorism that Iran "remained the most active state sponsor of terrorism in 2004";

Whereas President of Iran Mahmoud Ahmadinejad expressed, in an October 26, 2005, speech, his hope for "a world without America" and his desire "to wipe Israel off the map" and has subsequently denied the existence of the holocaust;

Whereas Article XII.C of the Statute of the IAEA requires the IAEA Board of Governors to report the noncompliance of any member of the IAEA with its IAEA safeguards obligations to all members and to the Security Council and General Assembly of the United Nations;

Whereas Article III.B-4 of the Statute of the IAEA specifies that "if in connection with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security";

Whereas, on September 24, 2005, the IAEA Board of Governors adopted a resolution finding that Iran's many failures and breaches of its obligations to comply with the Safeguards Agreement constitute non-compliance in the context of Article XII.C of the Statute of the IAEA and that matters concerning Iran's nuclear program have given rise to questions that are within the competence of the Security Council as the organ bearing the primary responsibility for the maintenance of international peace and security;

Whereas, on January 3, 2006, the Government of Iran announced that it planned to restart its nuclear research efforts, nullifying the Paris Agreement;

Whereas, in January 2006, Iranian officials, in the presence of IAEA inspectors, began to remove IAEA seals from the enrichment facility in Natanz, Iran;

Whereas Foreign Secretary of the United Kingdom Jack Straw warned Iranian officials that they were "pushing their luck" by removing the United Nations seals that were placed on the Natanz facility by the IAEA 2 years earlier;

Whereas President of France Jacques Chirac said that the Governments of Iran and North Korea risk making a "serious error" by pursuing nuclear activities in defiance of international agreements;

Whereas Foreign Minister of Germany Frank-Walter Steinmeier said that the Government of Iran had "crossed lines which it knew would not remain without consequences";

Whereas Secretary of State Condoleezza Rice stated, "It is obvious that if Iran cannot be brought to live up to its international obligations, in fact, the IAEA Statute would indicate that Iran would have to be referred to the U.N. Security Council.";

Whereas President Ahmadinejad stated, "The Iranian government and nation has no fear of the Western ballyhoo and will continue its nuclear programs with decisiveness and wisdom."; and

Whereas the United States has joined with the Governments of Britain, France, and Germany in calling for a meeting of the IAEA Board of Governors to discuss Iran's non-compliance with its IAEA safeguards obligations: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) condemns the many failures of the Government of Iran to comply faithfully with its nuclear nonproliferation obligations, including its obligations under the Safeguards Agreement (as reported by the Director General of the IAEA to the IAEA Board of Governors since 2003), its suspension commitments under the Paris Agreement, and prior commitments to the EU-3 to suspend all enrichment- and reprocessing-related activities;

(2) commends the efforts of the Governments of France, Germany, and the United Kingdom to seek a meaningful and credible suspension of Iran's enrichment- and reprocessing-related activities and to find a diplomatic means to address the noncompliance of the Government of Iran with its obligations, requirements, and commitments related to nuclear non-proliferation;

(3) strongly urges the IAEA Board of Governors, at its special meeting on February 2, 2006, to order that Iran's noncompliance with its safeguards obligations be reported to the United Nations Security Council; and

(4) calls on all members of the United Nations Security Council, in particular the Russian Federation and the People's Republic of China, to act expeditiously to consider any report of Iran's noncompliance in fulfillment of the mandate of the Security Council to respond to and deal with situations bearing on the maintenance of international peace and security.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2696. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 662, to reform the postal laws of the United States; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2696. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 662, to reform the postal laws of the United States; which was ordered to lie on the table; as follows:

On page 256, after line 3 add the following:  
**SEC. 1005. APPLICATION OF LAWS ASSURING FAIR TREATMENT OF SMALL BUSINESSES AND OTHER POSTAL SUPPLIERS.**

(a) APPLICATION OF OTHER LAWS.—Section 410(b) of title 39, United States Code, is amended—

(1) in paragraph (5)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by adding "and" at the end; and

(C) by adding at the end the following:

"(C) chapter 9 (the Contract Disputes Act of 1978);";

(2) by striking paragraph (9) and inserting the following:

"(9) the following provisions of title 31:

"(A) subchapter V of chapter 35 (known as the bid protest provisions of the Competition in Contracting Act of 1984); and

"(B) chapter 39 (known as the Prompt Payment Act);";

(3) in paragraph (10), by striking "and" at the end;

(4) in paragraph (11), by striking the period at the end and inserting "; and"; and

(5) by adding at the end the following:

"(12) the Small Business Act (15 U.S.C. 631 et seq.).";

(b) CONFORMING AMENDMENT.—Section 3(b) of the Small Business Act (15 U.S.C. 632(b)) is amended by striking "the United States Postal Service or" .

#### CONTINUATION OF RELIEF RESPONSE TO EARTHQUAKE IN SOUTH ASIA

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 356 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 356) urging a commitment by the United States and the international community to continue relief efforts in response to the earthquake in South Asia and to help rebuild critical infrastructure in the affected areas.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon table, and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 356) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 356

Whereas on October 8, 2005, a magnitude 7.6 earthquake struck Pakistan, India, and Afghanistan;

Whereas the epicenter of the earthquake was located near Muzaffarabad, approximately 60 miles north-northeast of Islamabad, with aftershocks and landslides continuing to affect the area;

Whereas more than 75,000 people have died, including approximately 17,000 children, nearly 70,000 people are injured and approximately 3,000,000 people are homeless as a result of the earthquake;

Whereas the United States has pledged a total of \$510,000,000 in assistance to the affected areas, including \$300,000,000 for relief and reconstruction, \$110,000,000 to support Department of Defense relief operations, and

at least \$100,000,000 in anticipated contributions from private entities in the United States;

Whereas, as of January 25, 2006, the total amount of humanitarian assistance provided to Pakistan by the United States Agency for International Development is more than \$66,500,000;

Whereas the Department of Defense has deployed approximately 875 members of the Armed Forces and 31 helicopters to aid in the earthquake relief efforts;

Whereas since October 8, 2005, United States helicopters have flown more than 3,200 missions, evacuated approximately 3,800 people, and delivered nearly 15,000,000 pounds of supplies;

Whereas the cost of rebuilding the affected areas could be more than \$5,000,000,000;

Whereas Secretary of State Condoleezza Rice, during her October 12, 2005 visit to Pakistan, said the United States would support the efforts of the Government of Pakistan over the long-term to provide assistance to the victims of the earthquake and rebuild areas of the country devastated by the earthquake;

Whereas the robust humanitarian response of the Government of the United States to the earthquake disaster has made an impact on the Government and people of Pakistan and demonstrates the United States commitment to Pakistan and the well-being of its residents;

Whereas the United States humanitarian mission in Pakistan may impact positively on the way Americans are viewed, especially in areas where the population may oppose United States counterterrorism policies and where radical groups and affiliates of known terrorist organizations are conducting high-profile relief efforts; and

Whereas the results of a poll taken by the nonprofit organization Terror Free Tomorrow show that, at the end of November 2005, more than 46 percent of Pakistanis had a favorable view of the United States, double the percentage of Pakistanis that held that view in May 2005; Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the members of the United States Armed Forces and civilian employees of the Department of State and the United States Agency for International Development for their swift and sustained efforts to assist the victims of the earthquake in South Asia that occurred on October 8, 2005;

(2) commends the Governments of Pakistan and India for working together to save lives and provide humanitarian relief in the affected areas and encourages them to continue in this spirit of cooperation;

(3) commends the international community, including nongovernmental organizations, private corporations, and individual citizens, for responding swiftly and generously to the relief and recovery effort;

(4) urges continued attention by international donors and relief agencies to the needs of vulnerable populations in the stricken areas, particularly the thousands of children who have been left parentless and homeless by the disaster; and

(5) urges the Government of the United States to take the lead in encouraging the international community to commit to continue relief efforts in response to the earthquake in South Asia and to help rebuild critical infrastructure in the affected areas.

#### CONDEMNING THE GOVERNMENT OF IRAN

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con.

Res. 78 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 78) condemning the Government of Iran for violating international nuclear nonproliferation obligations and expressing support for efforts to report Iran to the United Nations Security Council.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 78) was agreed to, as follows:

#### S. CON. RES. 78

Whereas Iran is a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (commonly referred to as the "Nuclear Non-Proliferation Treaty"), under which Iran is obligated, pursuant to Article II of the Treaty, "not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices";

Whereas Iran signed the Agreement Between Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna June 19, 1973 (commonly referred to as the "Safeguards Agreement"), which requires Iran to report the importation and use of nuclear material, to declare nuclear facilities, and to accept safeguards on nuclear materials and activities to ensure that such materials and activities are not diverted to any military purpose and are used for peaceful purposes and activities;

Whereas Iran signed the Protocol Additional to the Agreement Between Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons at Vienna on December 18, 2003 (commonly referred to as the "Additional Protocol");

Whereas the International Atomic Energy Agency (IAEA) reported in November 2003 that Iran had been developing an undeclared nuclear enrichment program for 18 years and had covertly imported nuclear material and equipment, carried out over 110 unreported experiments to produce uranium metal, separated plutonium, and concealed many other aspects of its nuclear facilities and activities;

Whereas the Government of Iran informed the Director General of the IAEA on November 10, 2003, of its decision to suspend enrichment-related and reprocessing activities, and stated that the suspension would cover all activities at the Natanz enrichment facility, the production of all feed material for enrichment, and the importation of any enrichment-related items;

Whereas, in a Note Verbale dated December 29, 2003, the Government of Iran specified

the scope of suspension of its enrichment and reprocessing activities, which the IAEA was invited to verify, including the suspension of the operation or testing or any centrifuges, either with or without nuclear material, at the Pilot Fuel Enrichment Plant at Natanz, the suspension of further introduction of nuclear material into any centrifuges, the suspension of the installation of new centrifuges at the Pilot Fuel Enrichment Plant and the installation of centrifuges at the Fuel Enrichment Plant at Natanz, and, to the extent practicable, the withdrawal of nuclear material from any centrifuge enrichment facility;

Whereas, on February 24, 2004, the Government of Iran informed the IAEA of its decision to expand the scope and clarify the nature of its decision to suspend to the furthest extent possible the assembly and testing of centrifuges and the domestic manufacture of centrifuge components, including those related to existing contracts, informed the IAEA that any components that are manufactured under existing contracts that cannot be suspended will be stored and placed under IAEA seal, invited the IAEA to verify these measures, and confirmed that the suspension of enrichment activities applied to all facilities in Iran;

Whereas, in November 2004, the Governments of the United Kingdom, France, and Germany entered into an agreement with Iran on Iran's nuclear program (commonly referred to as the "Paris Agreement"), securing a formal commitment from the Government of Iran to voluntarily suspend uranium enrichment operations in exchange for discussions on economic, technological, political, and security issues;

Whereas the Department of State has reported for a decade on Iran's state sponsorship of terrorism and has declared in its most recent Country Reports on Terrorism that Iran "remained the most active state sponsor of terrorism in 2004";

Whereas President of Iran Mahmoud Ahmadinejad expressed, in an October 26, 2005, speech, his hope for "a world without America" and his desire "to wipe Israel off the map" and has subsequently denied the existence of the holocaust;

Whereas Article XII.C of the Statute of the IAEA requires the IAEA Board of Governors to report the noncompliance of any member of the IAEA with its IAEA safeguards obligations to all members and to the Security Council and General Assembly of the United Nations;

Whereas Article III.B-4 of the Statute of the IAEA specifies that "if in connection with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security";

Whereas, on September 24, 2005, the IAEA Board of Governors adopted a resolution finding that Iran's many failures and breaches of its obligations to comply with the Safeguards Agreement constitute non-compliance in the context of Article XII.C of the Statute of the IAEA and that matters concerning Iran's nuclear program have given rise to questions that are within the competence of the Security Council as the organ bearing the primary responsibility for the maintenance of international peace and security;

Whereas, on January 3, 2006, the Government of Iran announced that it planned to restart its nuclear research efforts, nullifying the Paris Agreement;

Whereas, in January 2006, Iranian officials, in the presence of IAEA inspectors, began to remove IAEA seals from the enrichment facility in Natanz, Iran;